

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

United States District Court
Southern District of Texas

ENTERED

July 14, 2016

David J. Bradley, Clerk

B. CHOICE LIMITED,
Plaintiff,

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v.

CIVIL ACTION H-14-2096

EPICENTRE DEVELOPMENT
ASSOCIATES, LLC., *et al.*,
Defendants.

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ORDER ADOPTING MEMORANDUM & RECOMMENDATION

Pending before the court is the Magistrate Judge's Memorandum and Recommendation ("M&R") (Dkt. 201) relating to defendants Epicentre Development Associates, LLC ("Epicentre"), Andrea Frattini, Pierluigi Guiduzzi, PLG Consulting ("PLG"), and F&G Consultancy ("F&G"), Ltd.'s motions to dismiss (Dkts. 157, 158, 159, 160, 161, 188), plaintiff's motion for partial summary judgment (Dkt. 166), and plaintiff and Frattini's motions for sanctions (Dkts. 191, 194).

The M&R advises that any parties wishing to object to the M&R must do so by May 26, 2016. Dkt. 201 at 55–56. The M&R further states that "failure to file written objections within the time period mentioned shall bar an aggrieved party from attacking the factual findings and legal conclusions on appeal." *Id.* at 56. The court has received no objections. The court, having reviewed the M&R, relevant documents within the record, and the applicable law, and having received no objections, ADOPTS the M&R in its entirety. Pursuant to the M&R, Frattini's 12(b)(2) motion (Dkt. 158) is DENIED, Guiduzzi, PLG, F&G, and the Epicentre defendants's 12(b)(6) motions (Dkts. 157, 159, 160, 161, 188) are GRANTED IN PART AND DENIED IN PART, plaintiff's motion for partial summary judgment (Dkt. 166) is GRANTED, and plaintiff and Frattini's motions for sanctions (Dkts. 191, 194) are DENIED.

Signed at Houston, Texas on July 14, 2016.



Gray H. Miller
United States District Judge